



## Office of the State Treasurer and Receiver General

**Address:** One Ashburton Place, 12th Floor, Boston, Massachusetts 02108  
**Telephone #:** (617) 367-3900; Fax #: (617) 248-3944  
**Internet Address:** <http://www.state.ma.us/treasury>

### **Procurement Best Practices and Practical Advice for Potential Bidders to Treasury Procurements**

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The Office of the State Treasurer and Receiver General strives to promote open, competitive and fair procurements that provide the Commonwealth with the best value for all goods and services procured through the Treasurer's office. The Treasurer also seeks to build a strong partnership with the vendor community. One way to build that partnership is to make the procurement process as user-friendly and transparent as possible. With that goal in mind, this document presents best practices and some practical advice for any entity responding to Treasury Requests for Qualifications (RFQs) and Requests for Responses (RFRs).

- Follow the requirements and directions of the RFQ/R precisely and thoroughly. All procurements have a series of required forms. Fill ALL forms in exactly as the instructions state. While there are times a form may seem unnecessary or redundant, bidders still must follow the rules and instructions as stated. Make clear that you meet the mandatory business and technical requirements. RFQ/R's often segregate mandatory from optional business and technical requirements. Failure to meet mandatory requirements may automatically disqualify you from many procurements.
- When the RFQ/R says to provide all cost related information in a separate, sealed envelope from the business and technical proposal, it is a firm requirement and usually leads to disqualification if not followed precisely and completely. Bidders should be particularly careful to follow the precise instructions for bids that requires separate cost proposals.
- Respond clearly to each and every requirement, with well-organized material tailor-made for the response. When the RFQ/R says to respond to each requirement set forth in the RFQ/R, do so. Minimize marketing material. Often bidders will attempt to reuse existing proposals or use pre-existing marketing material instead of responding to the Commonwealth's structure, form, and requirement format. The Procurement Management Team (PMT) is expected to score the responses based on the material submitted, not any other background or knowledge they may possess regarding the bidder.
- Ask questions through the formal channel provided. Every RFQ/R provides a period of time in which bidders can submit any and all questions (both procurement process related and business/technical). The PMTs do not rate questions asked in advance and are not

allowed to take questions asked prior to proposal submission into consideration. Even questions such as “Do we really need to fill in this form?” Each RFQ/R provides an official contact person for questions related to that RFQ/R. Only the designated contact person listed in the RFQ/R should be contacted. Contacting any other member of the Treasury or the PMT can result in the disqualification of the bid submitted.

- Clarity and simplicity over volume. Most procurements involve a number of bidders and a large volume of documents that the PMT must read and score. The clearer the responses are and the fewer number of pages, the greater the chance that the PMT members have of focusing on the important points in your proposal.
- Read ALL material and all referenced documents. All procurements post key procurement related documents and background on COMMBUYS. While some of these documents may appear to be unimportant or general information. All COMMBUYS and referenced documents form some portion of the requirements. Failing to read, respond to, or take into consideration all material that forms the RFQ/R can have serious consequences in either the procurement, or in the ultimate contract.
- Make the most of in-person presentations and demonstrations Send your best prepared and most skillful communicators who will be directly involved with the service provided to on-site presentations and demonstrations. Many vendors lose out on contracts because while their presentation is great on paper their presentation is weak due to poor communication skills or failure of their proposed product during a demonstration. And if you say your product does something in a written response to an RFQ/R, make sure your demonstration backs it up.
- Most Common Errors in RFQ/RFR Responses:
  - The cover letter signatory is not actually properly authorized to sign on behalf of the company (there are signatory authorization forms included in every RFQ/R). Many firms send in Board Authorization letters however, an authorized signatory is still required. The signatory form requires that person granting authorization must be a corporate officer.
  - Cost related information submitted within the business and technical proposal. All cost proposal information must be separated from the business and technical sections.
  - Missing forms (most notably Invest in Mass, Treasurer Supplier Diversity, Non-Collusion, etc.)
  - Vague or evasive responses to requirements. Or some requirements not addressed at all.
  - Modifications to electronic forms that are not intended to be modified (e.g. signature authorization, non-collusion, etc).

- Failure to provide ADV Form 1 documents (or failure to provide an explanation for why one was not provided).
- Wrong tax compliance forms. When providing a certificate of tax compliance, use the correct form and bidder MUST provide documented evidence (e.g. copy of a FAX, copy of an email, etc) that the request was submitted to the Department of Revenue if they did not receive the certificate in time for the proposal due date.
- Executive Order 504 not signed.
- Business reference forms not containing the required number of references.
- Not directly demonstrating minimum mandatory qualification requirements.
- Attempts to amend the Commonwealth's boilerplate legal terms contained in the Standard Contract Form and Terms and Conditions. This is a waste of time; state entities are not authorized to amend these documents. If you want to do business with the Commonwealth, you have to sign the boilerplate forms without amendment. Some PMTs disqualify vendors who try to amend these boilerplate legal terms without even scoring their bids.
- Procrastination. Some bidders wait until the last minute to file a bid and experience technical failures that prevent transmission of an electronic bid or cause delay in hand or overnight mail delivery. In these circumstances unless the PMT offers a waiver of the bid deadline (and they rarely do) your bid will be disregarded. Plan to get your bid in at least a day and preferably several days prior to the due date.